

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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DANIELLE THOMAS,

Civil File No. 07-3994 (JNE/JJG)

Plaintiffs,

v.

**REPORT AND RECOMMENDATION**

WHITE BEAR LAKE SCHOOL DISTRICT  
and WHITE BEAR LAKE POLICE  
DEPARTMENT,

Defendants.

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Plaintiff commenced this action on September 17, 2007, by filing a self-styled civil complaint, and an application seeking leave to proceed in forma pauperis, ("IFP"). (Docket Nos. 1 and 2.) Shortly after the case was opened, the Court examined Plaintiff's pleading, and found it to be deficient in several respects. Therefore, by order dated September 27, 2007, (Docket No. 4), Plaintiff was directed to file an amended complaint by no later than October 10, 2007. The order expressly advised Plaintiff that if she did not file a new pleading by that date, the Court would recommend that this action be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b).

The deadline for complying with the Court's order of September 27, 2007, has now passed, and Plaintiff has not yet filed an amended complaint. Indeed, Plaintiff has not communicated with the Court at all since she filed her original complaint at the outset of this case. Therefore, the Court now recommends, in accordance with the prior order, that this action be summarily dismissed, without prejudice, pursuant to Fed. R. Civ. P. 41(b). See also Link v. Wabash Railroad Co., 370 U.S. 626, 630-31 (1962) (recognizing that a federal court

has the inherent authority to “manage [its] own affairs so as to achieve the orderly and expeditious disposition of cases”).

Based upon the above, and upon all the records and proceedings herein,

IT IS HEREBY RECOMMENDED that:

1. Plaintiff’s Application To Proceed In Forma Pauperis, (Docket No. 2), be **DENIED**;  
and
2. This action be **DISMISSED WITHOUT PREJUDICE**.

Dated: October 17, 2007

s/ Jeanne J. Graham  
JEANNE J. GRAHAM  
United States Magistrate Judge

Pursuant to D. Minn. LR 72.2(b), any party may object to this Report and Recommendation by filing and serving specific, written objections by **October 30, 2007**. A party may respond to the objections within ten days after service thereof. Any objections or responses filed under this rule shall not exceed 3,500 words. A District Judge shall make a de novo determination of those portions to which objection is made. Failure to comply with this procedure shall operate as a forfeiture of the objecting party’s right to seek review in the United States Court of Appeals for the Eighth Circuit.